

# **FISCAL NOTE**

## **SB 883 - HB 1958**

February 24, 2005

**SUMMARY OF BILL:** Provides that an alcoholic beverage is in the possession of the driver of the vehicle for purposes of the open container law if such alcoholic beverage is not locked in a closed glove compartment, trunk or other non-passenger area of the vehicle regardless whether passengers are in the vehicle.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Revenues - \$25,000**

**Increase Local Govt. Revenues – Not Significant**

**Increase Local Govt. Expenditures – Not Significant**

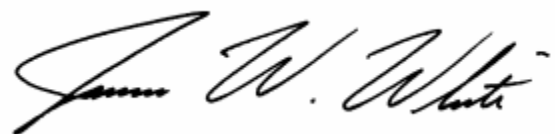
**Other Fiscal Impact – To the extent this bill meets federal “open container” requirements, enactment could prevent the transfer of approximately \$12 million in federal funds for FY 05-06 and subsequent years from road construction programs to highway safety programs.**

Assumptions:

- The number of open container violations would double from 650 to 1,300 with an average fine of \$40.
- The State receives fines and the clerks receive commission on such fines in accordance with TCA 55-10-303.
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in expenditures.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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